

Division 3. Air Resources Board

Chapter 3.5. Heavy-Duty Diesel Smoke Emission Testing, and Heavy-Duty Vehicle Emission Control System Inspections

§ 2181. Responsibilities of the Driver and Inspector During the Inspection Procedure.

(a) Driver of heavy-duty diesel-powered vehicle. The driver of a heavy-duty diesel-powered vehicle selected to undergo the inspection procedure shall do all of the following:

- (1) Drive the vehicle to the inspection site upon direction of an officer.
- (2) Perform the test procedure upon request by an inspector.
- (3) Open the vehicle door so that the inspector can observe the driver depress the accelerator pedal.
- (4) Permit an emission control system inspection upon the request of the inspector.

(5) Sign the citation or notice of violation to acknowledge its receipt and the smoke test report to acknowledge performance of the test procedure.

(b) Driver of heavy-duty gasoline-powered vehicle. The driver of a heavy-duty gasoline-powered vehicle selected to undergo the inspection shall:

- (1) Drive the vehicle to the inspection site upon direction of an officer.
- (2) Permit an emission control system inspection upon request of the inspector.
- (3) Sign the citation to acknowledge its receipt.

(c) Inspector. The inspector in performing the inspection procedure shall do all of the following:

- (1) Advise the driver that refusal to submit to the inspection procedure is a violation of these regulations.
- (2) Obtain engine identification information from the vehicle when tested pursuant to section 2182 to determine which opacity standard specified in section 2182 applies.

(3) Except as otherwise provided in section 2181(c)(4), issue a copy of the citation to the driver of a vehicle that fails the test procedure or the emission control system inspection.

(4) Issue a copy of the notice of violation to the driver of a vehicle powered by a pre-1991 model-year diesel engine with a measured smoke opacity exceeding 55 percent but not exceeding 69 percent, except where a notice of violation or citation has been issued for the vehicle in the preceding 12 months.

(5) Issue a warning to the owner of a heavy-duty diesel-powered vehicle missing its emission control label that the label must be replaced and the engine number identification must be provided to the ARB within 30 days of written notification by the ARB, or it will be conclusively presumed in any subsequent smoke opacity test where the emission control label remains missing that the vehicle is subject to the 40 percent smoke opacity standard in section 2182(a)(1), unless at the time of the subsequent test it is plainly evident from a visual inspection that the vehicle is powered by a pre-1991 model-year engine.

NOTE: Authority cited: Sections 39600, 39601, 43013 and 44011.6, Health and Safety Code. Reference: Sections 39002, 39003, 39010, 39033, 43000, 43013, 43018 and 44011.6, Health and Safety Code. Section 305, Vehicle Code.

REFERENCE